

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Kevin Henke**

**Docket No. 5:16-CR-179-1M**

**Petition for Action on Supervised Release**

COMES NOW Carlton Timberlake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Henke, who, upon an earlier plea of guilty to Possession With Intent to Distribute a Quantity of Marijuana, a Quantity of Heroin, a Quantity of Cocaine, and a Quantity of Suboxone, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1)(A), and Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1), was sentenced by the Honorable Terrence W. Boyle, United States District Judge, on January 19, 2017, to the custody of the Bureau of Prisons for a term of 130 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Kevin Henke was released from custody on September 18, 2025, to the Middle District of North Carolina, at which time the term of supervised release commenced.

On September 24, 2025, the defendant's case was reassigned to Chief U.S. District Judge Richard E. Myers II.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWS:**

The defendant has a severe history of substance abuse and mental health diagnoses, and therefore, we respectfully request that additional substance abuse and mental health treatment conditions be imposed to enhance the likelihood of the defendant's successful rehabilitation and compliance on supervised release. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

**Kevin Henke**  
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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Melissa K. Lunsmann  
Melissa K. Lunsmann  
Supervising U.S. Probation Officer

/s/ Carlton Timberlake  
Carlton Timberlake  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8665  
Executed On: September 25, 2025

**ORDER OF THE COURT**

Considered and ordered this 26<sup>th</sup> day of September, 2025, and ordered filed and  
made a part of the records in the above case.

Richard E. Myers II  
Richard E. Myers II  
Chief United States District Judge